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NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

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RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-Pass Technologies, Inc.

Plaintiff(s)

CASE NUMBER

C-04-0528 DLJ

v.

PalmOne, Inc., PalmSource, Inc. and Handspring,  
Inc.

Defendant(s)

SUBSTITUTION OF ATTORNEY

E-Pass Technologies, Inc.

Plaintiff  Defendant  Other

hereby substitutes Kelly W. Cunningham, Esq., of Cislo & Thomas LLP who is

Retained Counsel  Court Appointed Counsel  Pro Per 1333 2nd Street, Suite 500

Santa Monica, CA 90401

(310) 451-0647

Telephone Number

(310) 394-4477

Fax/Telex Number

186,229

Street Box Number

as attorney of record in the place and stead of Mark S. Dosker, Esq.

Squire, Sanders & Dempsey LLP

Present Attorney

Dated: 1-11-08

Kelly W. Cunningham  
Signature of Party

Dated: 1/11/08

Mark S. Dosker, Esq.  
Signature of Present Attorney, Mark S. Dosker, Esq.

I am duly admitted to practice in this District.

Dated: 1-10-08

Kelly W. Cunningham  
Signature of New Attorney, Kelly W. Cunningham, Esq.

Substitution of Attorney is hereby  Approved.  Denied.

Dated: Jan 10, 2008

Richard W. Wiegking  
United States District Judge / Magistrate Judge

SUBSTITUTION OF ATTORNEY

**PROOF OF SERVICE**

The undersigned certifies and declares as follows:

I, Mary Ann Dimapasoc, am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is One Maritime Plaza, Suite 300, San Francisco, California, 94111-3492.

On January 11, 2008, I served a true and correct copy of the following documents:

**1. E-Pass Technologies, Inc. Substitution of Attorney**

on the interested parties in this action as follows:

<p><b>EDWARD SIKORSKI, ESQ.</b>  <b>JOHN ALLCOCK, ESQ.</b>  <b>DLA PIPER RUDNICK GRAY CARY</b>  <b>US LLP</b>  <b>401 B STREET, SUITE 2000</b>  <b>SAN DIEGO, CA 92101-4297</b></p> <p><b>COUNSEL FOR DEFENDANTS</b>  <b>3COM, INC., PALM, INC., PALMONE,</b>  <b>INC. AND HANDSPRING, INC.</b></p>	<p><b>M. ELIZABETH DAY, ESQ.</b>  <b>SAL LIM, ESQ.</b>  <b>VINCENT S. LAM, ESQ.</b>  <b>DLA PIPER RUDNICK GRAY CARY</b>  <b>2000 UNIVERSITY AVENUE</b>  <b>EAST PALO ALTO, CA 94303-2248</b></p> <p><b>COUNSEL FOR DEFENDANTS 3COM,</b>  <b>INC., PALM, INC., PALMONE, INC.</b>  <b>AND HANDSPRING, INC.</b></p>
<p><b>WILLIAM J. BOHLER, ESQ.</b>  <b>MADISON C. JELLINS, ESQ.</b>  <b>SUSAN C. MOON, ESQ.</b>  <b>JULIE J. HAN, ESQ.</b>  <b>TOWNSEND &amp; TOWNSEND &amp; CREW</b>  <b>379 LYTTON AVENUE</b>  <b>PALO ALTO, CA 94301</b></p> <p><b>COUNSEL FOR DEFENDANTS VISA</b>  <b>INTERNATIONAL SERVICE</b>  <b>ASSOCIATION AND VISA U.S.A., INC.</b></p>	<p><b>MARK D. ROWLAND, ESQ.</b>  <b>ANDREW T. OLIVER, ESQ.</b>  <b>ROPES &amp; GRAY LLP</b>  <b>525 UNIVERSITY AVENUE, SUITE 300</b>  <b>PALO ALTO, CA 94301</b></p> <p><b>COUNSEL FOR DEFENDANT</b>  <b>PALM SOURCE, INC.</b></p>

**By U.S. Mail.** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice the mail would be deposited with U.S. postal service on that same day with postage thereon fully prepaid. I am aware that on motion of the party served, service is presumed invalid of postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on January 11, 2008, at San Francisco, California

I declare under penalty of perjury that the above is true and correct.

Mary Ann Mendoza

Manjusha Mendage  
(Signature)

**PROOF OF SERVICE**